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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

14 JASON ZAJONC, individually and on behalf
of all others similarly situated.

Plaintiff.

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17 MORGAN STANLEY & CO. LLC, f/k/a
18 Morgan Stanley & Co. Incorporated,
19 MORGAN STANLEY SMITH BARNEY
LLC, and MORGAN STANLEY,

Defendants.

Case No. 4:14-cv-05563-EMC

**STIPULATION TO WITHDRAW
AMENDED COMPLAINT**

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22 *Attorneys for Plaintiff and proposed Class Members*

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1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 Plaintiff Jason Zajonc (“Plaintiff”) and Defendants Morgan Stanley & Co. LLC, Morgan
3 Stanley Smith Barney LLC, and Morgan Stanley (“Defendants”) (collectively, the “Parties”)
4 hereby stipulate as follows:

5 WHEREAS, on December 19, 2014, Plaintiff filed a Complaint (Docket No. 1) against
6 Defendants in this Court;

7 WHEREAS, on December 22, 2014, Plaintiff filed a Corrected Complaint (Docket No. 6)
8 to address non-substantive errors in the Complaint, and the Corrected Complaint was deemed an
9 Amended Complaint by the Court;

10 WHEREAS, Plaintiff seeks to withdraw the Amended Complaint (i.e., the Corrected
11 Complaint) (Docket No. 6), to preserve his option to amend as of right;

12 WHEREAS, the Parties agree that the operative complaint shall be the Complaint (Docket
13 No. 1) and Plaintiff shall retain his option to amend as of right as if the Corrected/Amended
14 Complaint (Docket No. 6) had never been filed;

15 THEREFORE, it is hereby stipulated and agreed that the Corrected/Amended Complaint
16 (Docket No. 6) be withdrawn.

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Dated: January 30, 2015

By: /s/ Jahan C. Sagafi
Jahan C. Sagafi

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*Attorneys for Plaintiff and Proposed Class
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Dated: January 30, 2015

By: /s/ Melinda Riechert
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Attorneys for Defendants

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3 NORTHERN DISTRICT OF CALIFORNIA
4 SAN FRANCISCO/OAKLAND DIVISION

5
6 JASON ZAJONC, individually and on behalf
7 of all others similarly situated,

Case No. 4:14-cv-05563-EMC

8 Plaintiff,

9 [~~PROPOSED~~] ORDER

10 vs.
11 MORGAN STANLEY & CO. LLC, f/k/a
12 Morgan Stanley & Co. Incorporated,
13 MORGAN STANLEY SMITH BARNEY
14 LLC, and MORGAN STANLEY,

15 Defendants.

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17 The Court directs the clerk to withdraw the Corrected/Amended Complaint (Docket No.
18 6). The operative complaint shall be the original Complaint (Docket No. 1), and Plaintiff retains
19 the option to amend as of right as if the Corrected/Amended Complaint (Docket No. 6) had never
20 been filed.

21 IT IS SO ORDERED.

22 Dated: _____ 2/2/15

